

BOARD OF NURSING
MINUTES
DECEMBER 17, 2004

CONDUCTING: Bernadette Bittner, Chair

CONVENED: 8:15 a.m.

ADJOURNED: 1:12 p.m.

MEMBERS PRESENT: Diane Forster-Burke
Lynn Price
Yvonne Sehy
Mary Williams
Bernadette Bittner
Marilyn Johnson
Joel Allred
Cathy Hadden

MEMBERS EXCUSED: Nancy Knape
Linda Cornaby
Pam Rice

TOPIC OF DISCUSSION:

DECISIONS/RECOMMENDATIONS:

NOVEMBER 19, 2004 TOTAL BOARD MINUTES: Approved as written.

NOVEMBER 19, 2004 PROBATION PEER COMMITTEE MINUTES: Approved with corrections.

DISCUSSION: A list of probationers who receive non-compliance letters will be attached to the minutes as an addendum.

MESOTHERAPY: Ms. Poe reported the Division has received inquiries regarding RNs and LPNs doing Mesotherapy. Mesotherapy is a subcutaneous injection of vitamins, minerals, homeopathic medications and amino acids. Its purpose is to melt the fat and shrink fat cells. The Physician's Board reviewed the procedure and expressed concern with the delivery mechanism and agrees with the Division that the

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process is still experimental and a physician would have to be on-site to delegate the procedure if performed by an RN or LPN. Dr. Willesen did not appear for the discussion. The Board indicated an APRN would be able to perform the procedure, but it is a delegated action for a RN or LPN.

ENVIRONMENTAL SCAN:

Ms. Poe indicated 12 more states are considering joining the Compact. Feedback regarding the compact has been positive, money problems have not appeared as feared and interstate discipline works better.

Ms. Poe reported Utah is the only state to enter the APRN compact. Ms. Poe indicated a discussion regarding the direction of APRN regulation needs to be held and this issue will be placed on the January agenda. Ms. Poe indicated that our APRNs may not have education and certification examinations that match, and therefore, would not be eligible for licensure in other states. The issue with clinical nurse specialists are the two different types, the traditional (staff educators, nurse educators, those who focus on educating patients and nurses), and the other group that diagnose and prescribe.

DISCIPLINE REPORT FROM
CONNIE CALL:

Ms. Call indicated 12 non-compliance letters were sent and 5 letters sent for not calling three times within the 30 day period. Ms. Poe indicated it is too early to tell if the system is working, however, we know who is out of compliance earlier and can take appropriate action.

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Follow-up from last month: Chris Owen and Debra Youngblood: now in compliance.

Out of compliance: 1). Jerry Wood. Mr. Wood will be invited to meet with the Board next month. 2). Lewis Bowman. Because Mr. Bowman has been referred for an Order to Show Cause Hearing he thought he did not need to continue to comply with his Order. A letter was sent indicating he must continue to comply with the current order.

Follow-up for December:

1. Angie Bellows: Out of compliance and will be scheduled to meet with Ms. Call and Ms. Poe.
2. Christine Bullock: Out of compliance and will be scheduled to meet with Ms. Call and Ms. Poe.
3. Donna Cook: Ms. Cook has been suspended but must continue to meet requirements. She will be scheduled to meet with Ms. Call and Ms. Poe.
4. Dyan Farnworth: Out of compliance and will be scheduled to meet with Ms. Call and Ms. Poe.
5. Camille Porter: Needs to submit copies of prescriptions. She has been sent a non-compliance letter.
6. Lynn Sayah: Out of compliance and will be scheduled to meet with Ms. Call and Ms. Poe.
7. Stacy Roberts: Ms. Roberts has not submitted an evaluation. A Motion was made to refer her for an Order to Show Cause Hearing. The Motion was seconded. All Board members in favor. (Evaluation received 12/24/2004).
8. Lusia Lyman: Out of compliance. She will be scheduled to meet with Ms. Call and Ms. Poe.

9. Keri Holzworth: Ms. Holzworth did not pay Compass Vision and was placed on hold by that company. There is concern that the probationer will not pay CVI, a hold will be placed on the account and the probationer will not be scheduled for an appointment. Board members indicated a hold for non-payment will be considered a miss and therefore, individuals with a hold will be out of compliance.

Ms. Call indicated there was a request from the owner of three dialysis centers to allow his probationer employees to rotate between the three facilities. Current Orders restrict the probationers to a specific facility.

David Peterson, Michelle Mcardle and Killey McClain are in compliance and Board members made a Motion to amend those Order that the probationer is assigned primarily to one site, but may float to the other sites provided the same supervisor fills out the employer report. The Motion was seconded. All Board members in favor.

Jennifer Budge: Ms Budge is also a probationer working at the dialysis center. She is a new probationer and Board members discussed whether or not to allow her to rotate between dialysis facilities. Board members made a Motion to also allow Ms. Budge to rotate the same as the other three probationers. The Motion was seconded. All Board members in favor.

Keri Holzworth: Ms. Holzworth is out of compliance with the terms and conditions of her Order. She is

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requesting access to controlled substances. A Motion was made to deny her request because the Board feels she needs a longer time to be monitored without access to controlled substances. The Motion was seconded. All Board members in favor.

Kiley McLain: Ms. McLain is requesting that she be allowed to discontinue attendance at 12-step meetings. A Motion was made to deny her request. 12-step meetings are known to be helpful and Board members feel she needs to continue attending the meetings. Ms. McLain also requested that her access to controlled substances be returned. A Motion was made to return access to controlled substances. The Motion was seconded. All Board members in favor.

KRISTINE EVENSON,
PROBATION INTERVIEW:

Ms. Evenson appears to have been receiving medications and has not submitted the prescriptions. She also has received prescriptions from two different prescribers. She stated she has had bad days. Ms. Price questioned whether or not she has had a relapse. Ms. Evenson responded she doesn't think so. She stated she is not taking anything not lawfully prescribed for her. Ms. Evenson stated she is currently having dental work done and her dentist is aware of her probation. She stated her primary prescribing practitioner is Christopher Gay. Ms. Evenson was reminded she can receive prescriptions from only one prescriber. She states she has been clean 9 months with the exception of Darvocet and Hydrocodone, which were prescribed for her. Ms. Evenson must

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submit a copy of all prescriptions within 10 days. She also needs to submit her 12-step attendance cards. Ms. Evenson is out of compliance with the terms and conditions of her Order.

CHARLENE MITCHELL,
PROBATION INTERVIEW:

Ms. Mitchell did not appear for her scheduled interview. A Motion was made to refer her for an Order to Show Cause Hearing. The Motion was seconded. All Board members in favor.

SAMANTHA HANSEN,
PROBATION INTERVIEW:

Ms. Hansen did not appear for her scheduled interview.

CAREER COLLEGE:

Becky Richards, Jan Jones, Nate Herman and Cherise Cole met with the Board to submit additional information and clarification as requested by the Board.

Ms. Richards indicated the program will have 20 day students and 20 evening students, and admit twice a year. That will be 80 students per year. Ms. Richards stated there will be different faculty members for the day and night students. She stated the College began interviewing faculty last week and hired one individual. The students will take their general education in the Spring, and begin nursing courses in July. The nursing staff will be hired by that time.

Ms. Forster-Burke indicated the objectives are still not clear and suggested Ms. Richards define them so they can be measured in each course. Board members indicated they need to be clear with the specifics and that ideas need to line up with outcomes and goals that the students

can meet.

Ms. Forster-Burke stated she appreciates that Career College has addressed the concerns from the Board, but also suggested Ms. Richards seek consultation from a nurse educator to fine tune the program.

A Motion was made to grant provisional approval for Career College to begin accepting 20 daytime students, and 20 nighttime students to begin general education courses April 2005 and clinical nursing courses June 2005. The Motion was seconded. All Board members in favor. There will be a site visit in April to look at class rooms, contracts, student handbook and any refinement of the program. Another site visit will be scheduled after the lab has been completed in May 2005. If objectives substantially change, or there are other outstanding issues, including faculty, they will need to come back and meet with the Board.

PROVO COLLEGE:

Dr. Lee Duke and Dr. Susan Stoler met with the Board to present additional information. Dr. Stoler was introduced as the Director of the program. Board members are concerned that Dr. Stoler has never taught within a college of nursing. She stated her clinical nursing experience has been primarily in the community setting. She will be teaching didactics for the med/surg and will have someone else teach clinicals.

Dr. Duke indicated the faculty ratio will be 1 to 10 in clinicals. If given provisional approval, they will begin

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building the lab and hiring faculty. Board members indicated the program looks good, curriculum is inventive and the only concern is that Dr. Stoler has minimal hands-on nursing experience. Emphasis was made to hire faculty to teach in their specialty area.

A Motion was made to grant provisional approval to admit 20 students per year, beginning general education February 2005 and clinical nursing July 2005. The Motion was seconded. All Board members in favor. A site visit will be conducted March 2005 and will look at the lab, the clinical contracts, faculty and any changes to the curriculum.

DISCIPLINARY GUIDELINES:

Reviewed and changes made.

BYRON WALKE:

Mr. Walke had been placed on a limited license until the results of the court action regarding the felony charge had been resolved. The felony was reduced to a misdemeanor. A Motion was made to give full licensure. The Motion was seconded. All Board members in favor.

BERNADETTE BITTNER, CHAIR

DATE

LAURA POE, EXECUTIVE
ADMINISTRATOR

DATE